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SHOOK, HARDY & BACON L.L.P.
(c/o MICROSOFT CORPORATION)
INTELLECTUAL PROPERTY DEPARTMENT
2555 GRAND BOULEVARD
KANSAS CITY, MO 64108-2613

EXAMINER
LE, MIRANDA

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 11/24/08 has been entered.

Information Disclosure Statement

Applicants' Information Disclosure Statement, filed 08/20/08, has been received, entered into the record, and considered. See attached form PTO-1449.

Claim Objections

Claim 13 is objected to because of the following informalities: "executing one or more queries to identify items having at least one commonality so as create *one or categories…*" should be changed to "executing one or more queries to identify items having at least one commonality so as create **_one or more categories_** …".

Appropriate correction is required.

Claims 13-17 are objected to because of the following informalities:

"computer-readable media" should be changed to "computer-readable **storage**

media".

Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly
> claiming the subject matter which the applicant regards as his invention.

Claims 1-24 are rejected under 35 U.S.C. 112, second paragraph, as

being indefinite for failing to particularly point out and distinctly claim the subject

matter which applicant regards as the invention.

Claims 1, 9, 13, 18, recite the limitations of "a selected category of items";

"relational information indicates division". These limitations are not defined by the

claims and the specification; and, do not provide a standard for ascertaining the

requisite degree and one of the ordinary skill in the art would not be reasonably

appraised of the scope of the invention. Therefore, these terms are indefinite as

they fail to point out what are being described.

Any claim not specifically addressed, above, is being rejected as

incorporating the deficiencies of a claim upon which it depends.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35

U.S.C. 102 that form the basis for the rejections under this section made in this

Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in
> public use or on sale in this country, more than one year prior to the date of application for patent in
> the United States.

Claims 1-24 are rejected under 35 U.S.C. 102(b) as being anticipated by

Thompson-Rohrlich (US Patent No. 5,504,852).

Thompson-Rohrlich anticipated independent claims 1, 9, 13, 18 by the

following:

As per claim 1, Thompson-Rohrlich teaches a computer system for

presenting related items *(i.e. files stored on a computer system, col. 1, lines 40-*

55) in a universal data storage device to a user, the system comprising:

a universal data storage device *(i.e. a computer system, col. 1, lines 40-*

55) containing a plurality of items *(i.e. files stored on a computer system, col. 1,*

lines 40-55) stored in accordance with a universal data schema *(i.e. a special*

display window, col. 1, lines 40-55) and containing relational information *(i.e. an*

alias is created and this alias appears in the Viewer's folder and window, col. 1,

line 55 to col. 2, line 11) corresponding to at least a portion of said plurality of

items *(i.e. All mail messages, All application programs, col. 1, line 55 to col. 2,*

line 11), wherein the relational information allows relationships between two or

more of the plurality of items to be determined *(i.e. A Viewer can be used to*

organize files, or as a way to find files having a known characteristic, col. 1, line

55 to col. 2, line 11), wherein said relational information indicates division of at

least a portion of said plurality of items into a plurality of categories *(i.e. All application programs, All mail messages, Files whose text contains the words "progress report", Files modified today, Files not accessed in the past 12 months, The 10 largest files, col. 1, line 55 to col. 6, line 11)*, wherein membership of said plurality of categories *(i.e. Files 10 through 13 all meet the requirements of a first categorization, and can be gathered together and stored in a first folder 16. Files 13 through 15 all meet the requirements of a second categorization, and can be gathered together and stored in a second folder 17, col. 2, lines 26-40)* is determined by execution of one or more queries that identify items having at least one commonality *(i.e. to find files having a known characteristic, col. 1, line 55 to col. 2, line 11)*; and

   a shell *(Fig. 3)* for presenting said plurality of items to a user, wherein the shell is configured to present a selected category of items to a user and is further configured to present said selected category of items in accordance with a display schema stored by said shell in association with said selected category of items *(i.e. In a particular embodiment of this invention, the program which performs the searching, aliasing and organizing function is called a "Viewer," since it provides a particular "View" into the set of files stored on the computer system. A Viewer acts as an intelligent folder that continually searches for files meeting a specification supplied by the user. For each file found, an alias is created and this alias appears in the Viewer's folder and window. In effect, a Viewer acts as an automated filing system. A Viewer can be used to organize*

files, or as a way to find files having a known characteristic, but whose name or

location is not remembered, col. 1, line 55 to col. 6, line 11).

As per claim 9, Thompson-Rohrlich teaches a computer-implement

method for presenting related items *(i.e. files stored on a computer system, col.*

1, lines 40-55) in a universal data storage device *(i.e. a computer system, col. 1,*

lines 40-55) to a user, the method comprising:

accessing data in said universal data storage device *(i.e. a computer*

system, col. 1, lines 40-55), wherein said universal data storage device stores a

plurality of items *(i.e. files stored on a computer system, col. 1, lines 40-55)* in

accordance with a universal data schema *(i.e. a special display window, col. 1,*

lines 40-55), and wherein at least a portion *(i.e. All mail messages, All application*

programs, col. 1, line 55 to col. 2, line 11) of said plurality of items contain

relational information *(i.e. an alias is created and this alias appears in the*

Viewer's folder and window, col. 1, line 55 to col. 2, line 11) which allows

relationships between said plurality of items to be determined *(i.e. A Viewer can*

be used to organize files, or as a way to find files having a known characteristic,

col. 1, line 55 to col. 2, line 11);

utilizing said relational information to determine a relationship *(i.e. to find*

files having a known characteristic, col. 1, line 55 to col. 2, line 11) between a

selected item and one or more of the items containing said relational information

in the data storage device *(i.e. A Viewer can be used to organize files, or as a*

way to find files having a known characteristic, col. 1, line 55 to col. 2, line 11),

wherein said relationship has a relationship type *(i.e. All application programs, All mail messages, Files whose text contains the words "progress report", Files modified today, Files not accessed in the past 12 months, The 10 largest files, col. 1, line 55 to col. 6, line 11)*; and

displaying said selected item *(Fig. 3)* and one or more related items to the user, wherein said displaying includes presenting the displayed items with a shell view schema stored in association with said relationship type *(i.e. A Viewer can be used to organize files, or as a way to find files having a known characteristic, col. 1, line 55 to col. 2, line 11)*, wherein said displaying further includes presenting one or more display elements defined by at least a portion of the displayed items, wherein conflicts *(i.e. Since file 13 meets both categorizations, it would need to be appear in both first folder 16 and second folder 17. To avoid having to place a complete copy of file 13 in both places, the original file 13 can be stored in first folder 16, and an alias to the file 13 can be stored in the second folder 17, col. 2, lines 26-40)* between said shell view schema and said one or more display elements are resolved in favor of said view schema *(i.e. FIG. 1 shows a depiction of searching and organizing files about two different topics in a method in accordance with this invention. Files 10, 11, 12, 13, 14, and 15 each contain information on a separate topic. Files 10 through 13 all meet the requirements of a first categorization, and can be gathered together and stored in a first folder 16. Files 13 through 15 all meet the requirements of a second categorization, and can be gathered together and stored in a second folder 17. Since file 13 meets both categorizations, it would need to be appear in both first*

folder 16 and second folder 17. To avoid having to place a complete copy of file

13 in both places, the original file 13 can be stored in first folder 16, and an alias

to the file 13 can be stored in the second folder 17, col. 2, lines 26-40).

As per claim 13, Thompson-Rohrlich teaches one or more computer-

readable media having computer-executable instructions for performing a

method for presenting related items*(i.e. files stored on a computer system, col. 1,*

lines 40-55) in a universal data storage device *(i.e. a computer system, col. 1,*

lines 40-55) to a user, the method comprising:

accessing data in said universal data storage device *(i.e. a computer*

system, col. 1, lines 40-55), wherein said universal data storage device stores a

plurality of items *(i.e. files stored on a computer system, col. 1, lines 40-55)* in

accordance with a universal data schema *(i.e. a special display window, col. 1,*

lines 40-55), and wherein at least a portion *(i.e. All application programs, All mail*

messages, Files whose text contains the words "progress report", Files modified

today, Files not accessed in the past 12 months, The 10 largest files, col. 1, line

55 to col. 6, line 11) of said plurality of items contain relational information which

allows relationships *(i.e. an alias is created and this alias appears in the Viewer's*

folder and window, col. 1, line 55 to col. 2, line 11) between two or more of said

plurality of items to be determined *(i.e. A Viewer can be used to organize files, or*

as a way to find files having a known characteristic, col. 1, line 55 to col. 2, line

11), wherein at least a portion of said relationships designate one or more source

items and one or more target items *(i.e. to find files having a known characteristic, col. 1, line 55 to col. 2, line 11)*;

executing one or more queries *(Fig. 3)* to identify items having at least one commonality so as create one or more categories containing one or more of the items containing said relational information in the data storage device *(i.e. to find files having a known characteristic, col. 1, line 55 to col. 2, line 11)*; and

presenting *(Fig. 3)* a selected category of items in accordance with a display schema stored by a shell *(i.e. a special display window, col. 1, lines 40-55)* in association with said selected category of items *(i.e. In a particular embodiment of this invention, the program which performs the searching, aliasing and organizing function is called a "Viewer," since it provides a particular "View" into the set of files stored on the computer system. A Viewer acts as an intelligent folder that continually searches for files meeting a specification supplied by the user. For each file found, an alias is created and this alias appears in the Viewer's folder and window. In effect, a Viewer acts as an automated filing system. A Viewer can be used to organize files, or as a way to find files having a known characteristic, but whose name or location is not remembered, col. 1, line 55 to col. 6, line 11)*.

As per claim 18, Thompson-Rohrlich teaches a shell for presenting related items *(i.e. files stored on a computer system, col. 1, lines 40-55)* in a universal data storage *(i.e. a computer system, col. 1, lines 40-55)* device to a user, the shell comprising:

a data storage device *(i.e. a computer system, col. 1, lines 40-55)* interaction component which retrieves data associated with one or more items from the universal data storage device *(i.e. files stored on a computer system, col. 1, lines 40-55)*, wherein said one or more items are stored in accordance with a universal data schema *(i.e. a special display window, col. 1, lines 40-55)* and at least a portion of said one or more items contain relational information that allows relationships between two or more items to be determined *(i.e. All application programs, All mail messages, Files whose text contains the words "progress report", Files modified today, Files not accessed in the past 12 months, The 10 largest files, col. 1, line 55 to col. 6, line 11)*, wherein at least a portion of said relationships has associated life-time management semantics *(i.e. All application programs, All mail messages, col. 1, line 55 to col. 6, line 11)*;

a related items presentation component which utilizes said retrieved data to present related items to a user *(Fig. 3)*, wherein the relationship presentation component is configured to present a selected item to a user and is further configured to utilize said relational information to present one or more items in said data storage device which are related to said selected item *(i.e. to find files having a known characteristic, col. 1, line 55 to col. 2, line 11)*; and

a shell view component that stores a plurality of shell view schemas that are associated with one or more relationship types *(i.e. A Viewer can be used to organize files, or as a way to find files having a known characteristic, col. 1, line 55 to col. 2, line 11)*;

wherein said related item presentation component presents said related items with one or more display elements defined by at least a portion of the related items and with one of said plurality of shell view schemas *(Fig. 3)*, wherein conflicts *(i.e. Since file 13 meets both categorizations, it would need to be appear in both first folder 16 and second folder 17. To avoid having to place a complete copy of file 13 in both places, the original file 13 can be stored in first folder 16, and an alias to the file 13 can be stored in the second folder 17, col. 2, lines 26-40)* between a shell view schema and said one or more display elements are resolved in favor of said shell view schema *(i.e. FIG. 1 shows a depiction of searching and organizing files about two different topics in a method in accordance with this invention. Files 10, 11, 12, 13, 14, and 15 each contain information on a separate topic. Files 10 through 13 all meet the requirements of a first categorization, and can be gathered together and stored in a first folder 16. Files 13 through 15 all meet the requirements of a second categorization, and can be gathered together and stored in a second folder 17. Since file 13 meets both categorizations, it would need to be appear in both first folder 16 and second folder 17. To avoid having to place a complete copy of file 13 in both places, the original file 13 can be stored in first folder 16, and an alias to the file 13 can be stored in the second folder 17, col. 2, lines 26-40).*

As to claims 2, 14, 19, Thompson-Rohrlich teaches the computer system of Claim 1, wherein the relational information corresponding to one or more of said plurality of items *(Fig. 3)* includes a set of item characteristics *(i.e. All*

application programs, All mail messages, Files whose text contains the words

"progress report", Files modified today, Files not accessed in the past 12 months,

The 10 largest files, col. 1, line 55 to col. 6, line 11).

As to claims 3, 20, Thompson-Rohrlich teaches the computer system of

Claim 2, wherein said shell is configured to present one or more of said set of

item characteristic to a user *(i.e. A Viewer can be used to organize files, or as a*

way to find files having a known characteristic, col. 1, line 55 to col. 2, line 11).

As to claims 4, 15, Thompson-Rohrlich teaches the computer system of

Claim 2, wherein said shell is configured to accept a user input *(i.e. The user can*

define the search criteria to be used in searching and organizing files, col. 1,

lines 40-55) representing a selection to view one or more items in the data

storage device having one of said item characteristics *(i.e. A Viewer can be used*

to organize files, or as a way to find files having a known characteristic, col. 1,

line 55 to col. 2, line 11).

As to claims 5, 21, Thompson-Rohrlich teaches the computer system of

Claim 2, wherein said shell configured to present (Fig. 3) one or more items in

the data storage device which share one of said item characteristics *(i.e. A*

Viewer acts as an intelligent folder that continually searches for files meeting a

specification supplied by the user, col. 1, line 55 to col. 2, line 11).

As per claim **6, 10, 17, 22**, Thompson-Rohrlich teaches the computer of

Claim 1, wherein the shell is configured to present at least a portion of said

relational information *(i.e. All application programs, All mail messages, Files*

whose text contains the words "progress report", Files modified today, Files not

accessed in the past 12 months, The 10 largest files, col. 1, line 55 to col. 6, line

11).

As to claims **7, 11, 23**, Thompson-Rohrlich teaches the computer of

Claim 1, wherein the shell is configured to accept a user input representing a

selection to view items in the data storage device which are related to said

selected item *(i.e. The user can define the search criteria to be used in searching*

and organizing files, col. 1, lines 40-55).

As to claims **8, 16, 24**, Thompson-Rohrlich teaches the computer system

of Claim 7, wherein said relational information corresponding to the selected item

includes a set of item characteristics associated *(i.e. Since file 13 meets both*

categorizations, it would need to be appear in both first folder 16 and second

folder 17. To avoid having to place a complete copy of file 13 in both places, the

original file 13 can be stored in first folder 16, and an alias to the file 13 can be

stored in the second folder 17, col. 2, lines 26-40) with the selected item and

wherein said user input represents a selection to view one or more items in the

data storage device which share one of said set of item characteristics with the

selected item *(i.e. The user can define the search criteria to be used in searching and organizing files, col. 1, lines 40-55).*

As per claim 12, Thompson-Rohrlich teaches the method of Claim 11, wherein the displaying of said selected item and one or more related items is responsive to said input *(i.e. A Viewer can be used to organize files, or as a way to find files having a known characteristic, col. 1, line 55 to col. 2, line 11).*

Response to Arguments

With respect to claims 1-24, Applicants have amended the independent claims 1, 9, 13, 18 to attempt to overcome the cited arts; however, upon further consideration, a new ground(s) of rejection is made in view of newly found prior art.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Miranda Le whose telephone number is (571) 272-4112. The examiner can normally be reached on Monday through Friday from 10:00 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James K. Trujillo, can be reached at (571) 272-3677. The fax number to this Art Unit is (571)-273-8300.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (571) 272-2100.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information

for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Miranda Le/
Primary Examiner, Art Unit 2169

January 28, 2009